

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

STATE OF OHIO,	:	CASE NO. 4:23-cv-00517-JRA
	:	
UNITED STATES OF AMERICA,	:	JUDGE JOHN R. ADAMS
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
NORFOLK SOUTHERN CORPORATION, et al.,	:	
	:	
Defendants.	:	

STATE OF OHIO’S STATUS REPORT

On April 15, 2024, the Court issued an Order directing the parties to file Status Reports every thirty days, addressing: (1) discovery that has occurred during the reporting period; (2) settlement discussions that have occurred during the reporting period; (3) motions that have been filed or remained pending during the reporting period; and (4) any developments that might give rise to a request to deviate from the schedule outlined in the case management plan.

Since the filing of the last status report on April 14, 2025, the State’s responses are respectfully submitted below.

1. Discovery

Ohio and Norfolk Southern have completed fact discovery. Both parties participated in multiple meet and confers and completed document production. Ohio provided its expert reports to Norfolk Southern on February 28, 2025. Norfolk Southern provided its expert reports to Ohio on April 11, 2025.

Ohio and Norfolk Southern have scheduled 15 expert depositions during the May 1–July 31 expert deposition period.

2. Settlement Discussions

Ohio and Norfolk Southern participated in a mediation in April 2025. Ohio presented the last counter of the mediation, which Norfolk Southern rejected with no further counter. The mediation then promptly concluded, and the case was not resolved. Ohio and Norfolk Southern are proceeding with expert depositions. Ohio remains willing to continue discussions about resolving the case.

3. Motions Filed or Pending

No motions have been filed or remain pending during the most recent reporting period.

4. Potential Deviations from Case Management Schedule

Ohio is not aware of any developments that might give rise to additional requests to deviate from the Case Management Schedule.

Respectfully submitted,

DAVE YOST
OHIO ATTORNEY GENERAL

s/ Amber Wootton Hertlein

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Certificate of Service

This certifies that on May 14, 2025, I served State of Ohio's Status Report by filing through the Court's CM/ECF system, which electronically notified all parties of record.

s/ Amber Wootton Hertlein

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